

HOUSE BILL 3153

By Tindell

AN ACT to amend Tennessee Code Annotated, Section 1-3-105; Section 7-59-303; Section 13-23-103; Section 40-28-202; Section 67-5-705 and Section 68-202-601, relative to census data.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 7-59-303, is amended by deleting subdivision (15) in its entirety and by substituting instead the following:

(15) "Low-income household" with respect to a large telecommunications provider means a household with an average annual income of less than thirty-five thousand dollars (\$35,000) as of July 1, 2008; provided, that, for determining low-income households, the most recent decennial census estimates of household income shall be adjusted by the consumer price index to estimate annual household incomes in prior years or subsequent years; provided further, that for determining low-income households after January 1, 2011, estimates from the most recent release of the American community survey five-year estimates shall be used. With respect to all other holders of a state-issued certificate of franchise authority, "low-income household" means, at the option of the holder with respect to each franchise area, either:

(A) A household meeting the standard provided in this subdivision (15) for large telecommunications providers; or

(B) A household below the estimated median household income within the holder's franchise area according to the most recent decennial census estimates of household income or, to the extent available, more recent estimates from the small area income estimates provided by the United States census

bureau or, after January 1, 2011, estimates from the most recent release of the American community survey five-year estimates for such areas;

SECTION 2. Tennessee Code Annotated, Section 13-23-103, is amended by deleting subdivision (2) in its entirety and by substituting instead the following:

(2) "Average Tennessee household" means the Tennessee household of average size and median gross annual household income based on the most recent federal census or the American community survey five-year estimates released in the year following the most recent federal census;

SECTION 3. Tennessee Code Annotated, Section 67-5-705(f), is amended by deleting subdivision (3) in its entirety and by substituting instead the following:

(3) The income limit for the property tax freeze program shall be the greater of the weighted average of the median household income for age groups sixty-five (65) years of age to seventy-four (74) years of age and seventy-five (75) years of age or over who resided within the county as determined in the most recent federal decennial census or in the American community survey five-year estimates released in the year following the most recent federal census, or the applicable state tax relief income limit established under § 67-5-702. This limit shall be adjusted by the comptroller of the treasury to reflect the cost of living adjustment for social security recipients as determined by the social security administration and shall be rounded to the nearest ten dollars (\$10.00). The adjusted weighted average median household income level for each county shall be published annually by the comptroller of the treasury.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.